

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 8, 2000
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on March 8, 2000, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Mosk, Kennard, Baxter, Werdegard, Chin, and Brown.

Officers present: Steve Rockwell, Sr. Deputy Clerk; and Harry Kinney, Supreme Court Marshal.

S071278 The People, Respondent

v.

Patrick P. Felix, Appellant

Cause called. Joseph P. Lee, Deputy Attorney General, argued for Respondent.

Christopher Blake argued for Appellant.

Mr. Lee replied.

Cause submitted.

S069596 Linda Hamilton, Respondent

v.

Asbestos Corporation Limited, Appellant

Cause called. Philip A. Harley opened argument for Respondent.

Harry F. Wartnick, appearing for Amicus Curiae Asbestos Victims of America, continued argument for Respondent.

James N. Sinunu continued argument for Appellant.

Roy G. Weatherup, appearing for Amicus Curiae Center for Claims Resolution, argued for Appellant.

Mr. Harley replied.

Cause submitted.

S064558 The People, Respondent
 v.
 Denise M. Martinez, Appellant
 Cause called. Gary R. Nichols, Deputy San Diego County Public
 Defender, argued for Appellant.
 Michael T. Murphy, Deputy Attorney General, argued for
 Respondent.
 Mr. Nichols replied.
 Cause submitted.

Court adjourned.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A085701/S085000 Robert Ramirez III v. Circuit City Stores Incorporated –
 April 10, 2000.

A089401/S084975 Aaron D. Nicholson v. San Mateo County Superior Court;
 People, RPI – April 7, 2000.

B120830/S084807 People v. Kevin Roberson et al. – April 7, 2000.

B122107/S084963 People v. Ruben H. Pappan – April 7, 2000.

B127577/S085019 People v. Assaf Oiknine – April 10, 2000.

B128121/S085005 People v. Jesus Enrique Padilla – April 10, 2000.

C029431/S085037 Elda R. Sears v. Jennie C. Morrison et al. – April 7, 2000.

D030819/S085020 People v. Anthony James Robinson – April 7, 2000.

E022373/S085029 People v. Floyd Maurice Palmer – April 7, 2000.

E024137/S084985 Montclair Parkowners Association et al. v. City of Montclair
 – April 7, 2000.

G018905/S084990 Thunderbird Irrigation Incorporated et al. v. Motor Vehicle Casualty Company et al. – April 10, 2000.

G022374/S085044 People v. Christopher Alan Morgan – April 11, 2000.

G023786/S085068 People v. Joaquin Aguilar Ruelaz – April 10, 2000.

F030522/S084946 People v. Fernando Rodriguez – April 7, 2000.

H018036/H019341 In re Kenneth Townsend on Habeas Corpus; People v.
S084969 Kenneth Townsend – April 7, 2000.

H018411/S085028 People v. Raymond Montez, Jr. – April 11, 2000.

S058157 People, Respondent
v.

Michael Nevail Pearson, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including May 26, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S082782 The Hartwell Corporation et al., Petitioners
v.

Ventura County Superior Court, Respondent

Kristin Santamaria et al., Real Parties in Interest

On application of real parties in interest and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including May 4, 2000.

S041008 People, Respondent
v.

Jaime Armando Hoyos, Appellant

Upon request of appellant for appointment of counsel, Lisa R. Short is hereby appointed to represent appellant Jaime Armando Hoyos for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

S086428 Kennard Davis, Petitioner

v.

Los Angeles County Superior Court, Respondent
People, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

2nd Dist. Reuben Yeroushalmi

B132719 v.

Miramar Sheraton et al.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division Four.

2nd Dist. Hallie Haak

B136214 v.

Fillmore Tellez

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Two.

Bar In the Matter of the Application of the Committee of Bar Examiners
Misc. of the State of California for Admission of Attorneys

4186 The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S084546 In re **Donald G. Durbin, Jr.** on Discipline

It is hereby ordered that **Donald G. Durbin, Jr.**, State Bar No. 37882, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S084713 In re **Thomas Orlando Hurst IV** on Discipline

It is ordered that **Thomas Orlando Hurst IV**, State Bar No. 37525, be suspended from the practice of law for one year and until he makes restitution to Donna Dawson (or the Client Security Fund, if appropriate) in the amount of \$5,000.00, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel; that execution of suspension be stayed; and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed November 4, 1999. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with section 6086.10 of the Business and Professions Code and payable in accordance with section 6140.7 of the Business and Professions Code (as amended effective January 1, 1997).

**SUPREME COURT CALENDAR
LOS ANGELES SESSION
APRIL 4 and 5, 2000**

(FIRST AMENDED)

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on April 4 and 5, 2000.

TUESDAY, APRIL 4, 2000 - 9:00 A.M.

S069522	Kasler v. Lungren
S081209	People v. Rubalcava
S073678	Galanty v. Paul Revere Life Insurance Company

1:30 P.M.

S009108	People v. Ronaldo Medrano Ayala [<i>Automatic Appeal</i>]
S065501	Linder v. Thrifty Oil Company
S008005	People v. Charles Dell Riel [<i>Automatic Appeal</i>]

WEDNESDAY, APRIL 5, 2000 - 9:00 A.M.

S062139	Kransco International Insurance v. American Empire Surplus Lines Insurance Company
S078243	People v. Miranda – (<i>To Be Called and Continued to May Calendar.</i>)
S077461	Kajima/Ray Wilson v. Los Angeles County Metropolitan Transportation

2:00 P.M.

S080174	Boysaw v. Superior Court, County of Los Angeles; People
S008840	People v. Herbert James Coddington [<i>Automatic Appeal</i>]

GEORGE
Chief Justice

If exhibits are to be transmitted to this Court, counsel must comply with Rule 10(d), California Rules of Court.

